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VERMONT BAR JOURNAL

246

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Benjamin Franklin by Joseph Siffred Duplessis (1725–1802) | Oil on canvas, c. 1785. National Portrait Gallery (public domain) with AI Alterations by Kim Velk, Esq. Franklin was on the committee of five asked to draft the Declaration of Independence. He declined, for various reasons, including that didn't want to work on a document to be edited by a committee.

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PURSUIT OF HAPPINESS

Steven Brown Esq. and the Wonderful Wide World of License Plate Collecting

.....

KSV: Thanks for agreeing to be interviewed, Steve. As you know, for this feature, we talk to attorneys who have interests and passions outside of the practice of law which help keep them balanced. When I heard at the Windham County Bar Meeting in May that you have a significant collection of license plates, I was really hoping you would agree to be our subject for this feature, so thank you very much! I like to start interviews with a little background. Where are you from originally? Can you tell us a little of your origin story?

SB: I grew up in Wilmington, [Vermont] and I graduated from Wilmington High School in 1998. After law school, I moved to Brattleboro in 2006. My wife Lauren, two kids, Huxley (12) & Eloise (10) and two Rhodians Ridgebacks (Phinney and Hattie) live in Brattleboro.

KSV: So you're a native Vermonter. Where did you go to college and what sent you on to law school?

SB: I went to Gettysburg College in Gettysburg, Pennsylvania and graduated with a BA in Political Science. I had no intention of attending law school until my adviser encouraged me to apply. I applied to a bunch of schools. I ended up attending Vermont Law School. I thought it would be nice place to spend a couple of years in Vermont before I moved on. Spoiler alert. I never left.

KSV: Can you tell me about your legal career to date – a little summary about what you have done professionally?

SB: In law school I really had no intention of practicing law. I thought a law degree would be a great education and would open additional doors. I was planning on returning to Wilmington after my 1L summer to work for my father's construction company, as I did each summer. My roommate and (best friend) told me I had to get a legal internship. Not knowing much about the office, I applied to work at the Windham County State's Attorney. It was my only application. Luckily Dan Davis offered me a position from an applicant pool of one. I worked for Dan for two summers and did a semester in practice with the office where I got to assist in a multiweek homicide trial. After law school, I went to work at Kramer Law Offices in Brattleboro. A little more than 2 years later, Tracy Shriv-



Steve (left) at a license plate meet in 2024 with his college roommate Ryan Foster and son Huxley.

er was appointed to finish Dan's term. Tracy offered me a position. The rest is history.

KSV: Tell me a little about the Windham County SA's office. I know you are a busy place.

SB: My office has 6 Deputy State's Attorneys, two victim advocates (we are in the process of hiring a third), two administrative staff, and we share an investigator with Windsor County and a paralegal with Bennington County. We are one of the busiest prosecutor's offices in the State. Over the last couple of years, we have used more trial dates than any other county in the State. The lawyers in my office have some of the highest caseloads for prosecutors in Vermont. Busy would be an understatement. The lawyers and other staff members in my office are some of the most dedicated professionals in State government. I am proud of the service they provide to the people of Windham County.

KSV: OK. Million-dollar question – how did you first get introduced to license plate collecting?

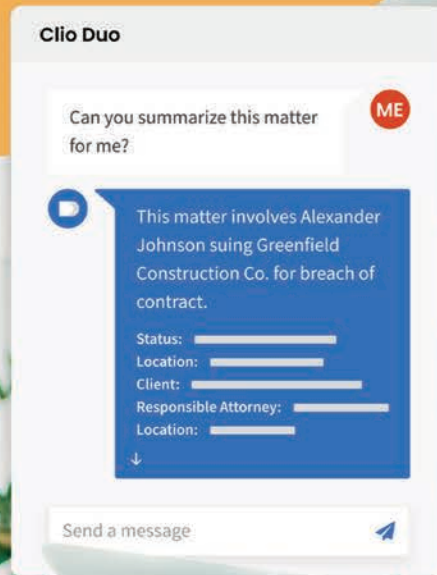
SB: I have always been interested in license plates, but NEVER considered it could be a hobby. In 2019 I inherited a small stack of plates from my father-in-law.

I hung them in my garage and did not think too much about them. During the pandemic, my son thought it would be fun to collect one from every state. So, we began our journey. We collected a plate from every state. Along the way, I discovered this was a legitimate hobby (my friends may disagree). Soon thereafter I became a member of the Automobile License Plate Collectors Association. It's an international organization that was started in 1954 with over 3000 members. They have a quarterly magazine and meets across the country. I am currently working toward obtaining plates from all over the world, though the real focus of the collection for me are my Vermont plates.

KSV: Do you see any connection between license plates and your work as prosecutor?

SB: Absolutely. Motor vehicle registrations and license plates are a creature of the legislature regulated by Vermont law and the commissioner of motor vehicles. As a prosecutor who has devoted a large portion of my career to motor vehicle crimes, license plates often come into play, whether it's an obstructed plate, missing plate, a vehicle being identified by a plate, there is certainly an intersection with license plates

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and the practice of law (I once even litigated a license plate case at the Supreme Court....and lost).

KSV: Are you able to say what it was that first intrigued you about them – if it was more than just encountering your father-in-law's stash?

SB: I've always been intrigued by license plates. When I was kid, my parents would drive to Florida each spring to visit my grandparents. I would sit in the car and log every plate from each state. I was an only child. Don't judge me. As I got older, I loved the idea of having a plate with a low number. I obtained a four-digit plate about 15 years ago.

KSV: How large was that starter collection and how large is your collection now?

SB: The starter collection was probably less than 10. When my son Huxley and I began collecting plates from every state, people would give us their old plates, I pulled plates my wife had stored away, my parents had a few from their life. So, the collection was quite modest at first. It's currently around 200...ish. Luckily my wife isn't reading this! The 50-State collection morphed into a current contemporary plate from each state to collecting older version for each of the 50 states too. Toss in a 100 or so Vermont plates, and a dozen interna-

tional plates... Just getting warmed up!

KSV: How would you say your interest and collection fits in the wider world of license plate collectors? That is, would you call yourself a big-time collector, or small-time collector or something in between?

SB: Gosh, compared to many of the collectors out there, I am small-time. There are people who have collections that make mine look like a drop in the bucket. There are collectors out there who do this for a living. They have collections that are unique and valuable. My collection is neither of the two. I will not be sending the kids to college by selling off the collection.

KSV: Do you have a favorite plate? What is it and why is it your favorite.

SB: I can't say I have a favorite plate. I've been working on collecting a plate for each year a plate was issued in Vermont. Starting from 1905 to current issued plates. Vermont issued a new plate each year up until 1967 when the law changed to permit use of a registration sticker that no longer necessitated a new plate to be issued. My favorite plates so far have been my oldest plates- 1914 and 1916-1919. The 1914 plate was the first porcelain plate I added to my collection. Steel was not issued until 1916.

KSV: Have you ever gone out of your way on a trip to find a particular plate? How'd that work out for you if so?

SB: Out of MY way, no. Have I inconvenienced my family? Absolutely. They love it when I take a brief detour to check out a yard sale or an explore an antique shop off the beaten path. Failure is part of success. You are never going to find the right plate if you are not looking.

KSV: Is there a "holy grail" plate you're still searching for?

SB: The "holy grail" for me will be obtaining the Vermont plates between 1905 and 1910 and to work on my collection of low number plates. Trying to get numbers 1-100.

KSV: When we were talking earlier you mentioned you had an interest in the history of the State's Attorneys of Windham County. Can you tell me more about that?

SB: Oh boy. I recently began chronicling the lives of every Windham County State's Attorney. I don't really know how the project started, other than to say, I enjoy studying history and it's been fascinating to learn about the previous people who have had the job. I have really no idea what I am going to do with the information. Do I write book? I can't see it landing on the best seller list. Maybe a VBJ article is the answer.

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Completion date is estimated to be 2048. Stay tuned.

KSV: My successor will be looking for that article! For now, back to the license plates. Does Vermont have any particularly distinctive or interesting license plate history? Can you outline a little of that?

SB: It's been interesting to see how Vermont plates developed over time. I love the history behind the plates. For example, with the metal shortage during WWII, Vermont paused issuing yearly plates. In 1943 the DMV issued a small metal tab that was affixed to the 1942 plate that exhibited the year and the license plate number. Plates have transitioned from being made from porcelain to steel, and currently they are made of aluminum.

KSV: Do friends and colleagues now automatically think of you when they spot an interesting plate? Do you get them as gifts?

SB: That does seem to happen. Most recently, a colleague was in Eswatini and brought me a back a plate. I love hanging a plate that has a good story behind it. I love looking at them and thinking of the connections I have with people in my life. The plates come from friends, family, and colleagues are some of my favorites!

KSV: Does collecting give you a mental break from the intensity of prosecution work?

SB: Having hobbies and interests outside of work are important components of taking care of one's mental health. The work we do is intense, and we often find ourselves working after hours, whether its trial preparation, answering phone calls from the police in the middle of the night, or writing endless motion responses and other pleadings. This hobby is one of the many things I do to help me reset.

KSV: How does your family feel about the collection? Is it a family affair?

SB: When the kids were young, the 50-state collection was a great way to teach them about US geography. Now that they are older, I do think they appreciate history. I've taken Huxley to the New England meet every fall for the last couple of years. He may enjoy the road trip more than walking around the actual show, but it's been fun to drag him along and to watch him search for plates that fit into our collection.

KSV: Are your plates displayed somewhere, or carefully archived – maybe both?

SB: Most of the plates are displayed in one place or another. I have some of favorite Vermont plates in my office along with my collection of Vermont law enforcement

and other Vermont government plates. Currently, the bulk of the collection is boxed because my family is in the process of moving. My garage housed them prior to the process of packing. How they will be displayed in the new house is TBD. However, I'm confident they will NOT be allowed inside the house!

KSV: Do you have any long-term plans for your collection?

SB: I have no plans to end this hobby anytime soon. Sorry Lauren.

KSV: I hope she'll forgive us for making you semi-famous in Vermont legal circles for your license plate collection! Is there anything I didn't ask you about that you'd like to share with VBJ readers about the hobby or the collection or license plates in Vermont in general?

SB: I don't have much more say. I am always happy to talk plates. You know where to find me! I never thought my license plate collection would land me in the Vermont Bar Journal!

KSV: We are very happy to have you here! Thanks so much, Steve, for sharing your "Pursuit of Happiness" with us. 🙌

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WHAT'S NEW

Vermont's Legal Community Celebrates the 250th Anniversary of the Declaration of Independence

As this issue of the VBJ heads off to press, our colleagues and friends up and down the state are preparing to commemorate the 250th anniversary of the Declaration of Independence. Various events are planned to engage Vermonters in conversations about citizenship, democracy, the rule of law, and the state's own remarkable place in American history — and to provide some fun, too.

The Vermont Judiciary established an ad hoc committee nearly a year ago to coordinate activities connected to the semi-quincentennial. The effort reflects a nationwide movement among courts and bar associations to highlight the role that law, justice, and civic participation have played in the American story since 1776.

Leading Vermont's planning effort is an ad hoc committee co-chaired by Associate Justice Nancy Waples of the Vermont Supreme Court and State Court Administrator Teri Corsones. The committee also includes judges, attorneys, court personnel, and historians who have spent months developing programs intended to bring the anniversary to life for Vermonters of all ages. Many county bar associations have also planned events to mark the occasion. Read on here or on the judiciary's website to find out all about scheduled events, including those planned at the county level.

In Montpelier on July 1

The centerpiece of Vermont's Tri-Branch commemoration will occur around the capitol complex (Vermont Supreme Court building, State House, and Pavilion Building) in Montpelier on Wednesday, July 1.

One of the most significant events of the day will be a naturalization ceremony in the Vermont Supreme Court courtroom at 11 AM Presided over by U.S. District Judge Geoffrey Crawford. The ceremony will welcome new citizens to the United States in a setting rich with constitutional symbolism and American heritage. At 1 PM, our own Vermont Supreme Court justices will be in their courtroom for a reading of the Declaration of Independence with historical context.

At 3 PM, Secretary of State Sarah Copeland Hanzas, House Speaker Jill Krowinski, and a Vermont Supreme Court Justice will hold a panel discussion in the State House with remarks from Gov. Phil Scott. The pro-



gram will bring together representatives of Vermont's three branches of government to examine themes relevant to the anniversary and the continuing evolution of democratic governance.

For history enthusiasts, one of the most compelling attractions may be a special exhibition of historical documents at the Vermont Supreme Court Gallery, running from June 29 through July 10. The exhibit will include a traveling Declaration of Independence display developed by the Library of Congress, as well as the Vermont Constitution and other historic Vermont documents.

VBA-Sponsored Vermont and American History Trivia Contest — July 1 at Barr Hill

For grownups connected with the Vermont legal community, the Vermont Bar Association is hosting a trivia contest to finish the day in Montpelier. Gather a team of four or just come that evening and get teamed up with others to put your history knowledge to the test. We're gathering on July 1 at Barr Hill, 116 Gin Lane, Montpelier, from 5 to 7:30 PM.

Music and trivia questions will be provided by 802 Trivia. We've sprung for some delicious hors d'oeuvres and prizes. There will be a cash bar, and a good time is guaranteed. Register at www.vtbar.org or email info@vtbar.org with any questions.

Fun for the Kids!

The celebration is not intended solely for adults or legal professionals. Organizers have placed strong emphasis on education and community engagement. School is out, so bring the kids. Classic kid fun starts at noon on the State House and Supreme Court lawn.

Activities include arts and crafts, face painting, a kids' vote, spoon-and-egg and potato-sack races. Kids will also have a chance to dunk King George III in the Constitutional Rights Tank. There will be snacks!

As if that wasn't enough, the Vermont Bar Foundation is hosting a costume contest that day. Kids are encouraged to dress up as a Vermont historical figure (or any Vermonter who has made an important impact on our state). Think Ethan Allen, Alexander Twilight, Madeleine Kunin, Bernie Sanders, or whoever you choose.

Other Events Around the State

Judicial units and county bars all around Vermont have their own plans to recognize the 250th anniversary. For example, the Rutland County court and County Bar Association have planned a full day of activities centered around the Rutland County Courthouse at 88 Center St. on July 2. There will be kids' games, an overview of the Declaration by local judicial officers, and more.

In Orange County, also on July 2 from 11 AM to 1 PM, celebrations will be held at the County Courthouse, 5 Court St., Chelsea. These will include a reading of the Declaration of Independence, a keynote address by Vermont Law and Graduate School Professor Peter Teachout, cake, and much more.

In Bennington County on July 9, a portrait of Moses Robinson, the first chief justice of Vermont, will be dedicated at the County Courthouse and followed by remarks from the Hon. Robert Mello, author of *Moses Robinson and the Founding of Vermont*. Events will be held at the courthouse, 207 South St., Bennington, from 11:30 AM to 1:30 PM.

Not to be outdone, the Washington County Bar Association and county court invite everyone back to Montpelier on Friday, July 10, for their big celebration. Events kick off at noon at the Washington

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County Courthouse, 65 State St., Montpelier. These include remarks from Presiding Judge Daniel P. Richardson, a concert by Dave Keller, a brief history of the probate court in Washington County by Probate Judge Jeffrey Kilgore, and a keynote address, "The Founding of a New County in Liberty," by Vermont historian Paul S. Gillies. There will also be refreshments.

In Windham County, the classic courthouse in Newfane at 7 Court St. will be the scene for another 250th celebration on

July 17 from 11 AM to 1 PM. Be on hand to dedicate a time capsule, have some cake, and much more.

Complete details about these events and others are available on the Vermont Judiciary's 250th Celebration webpage: <https://www.vtcourts.gov/about-vermont-judiciary/250th-anniversary-declaration-independence>.

Kim Velk is the executive director of the Vermont Bar Association.

CONNECTIONS PUZZLE

by Kevin Lumpkin, Esq.

Kevin is back with a new puzzle in the style of the NYT's "Connections" for this issue.

Kevin is a litigation partner at Sheehy Furlong & Behm in Burlington, and in his spare time he enjoys puzzles and trivia of all kinds.

The solution will be in the fall issue of the VBJ!

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WHAT'S NEW


VBA Establishes Law Office Study Section

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At its meeting on May 15 the Board of Managers of the Vermont Bar Association approved the creation of a Section for Vermont's State's Law Office Study ("LOS") Program. The first co-chairs of the section are its proponents Kira Botting, Esq., a law office study graduate who practices at Rousseau & Ross, PLLC in Lebanon, NH, and Victoria Richardson, who is currently pursuing Law Office Study at Sabbath Law in White River Junction.

The LOS program is a signature aspect of legal education in Vermont and a key component in legal workforce development. The venerable program provides an alternative path to becoming an attorney without attending traditional law school. It requires four years of apprenticeship under a supervising Vermont attorney or judge, including 25 hours of study per week, culminating in eligibility to take the Vermont Bar Exam. The program is managed by the Vermont judiciary, and the rules are set out in Rule 7 of the Rules of Admission.

Some 117 attorneys have followed the LOS path to admission to the Vermont Bar and there are currently 47 participants in the program. The passage rate on the Vermont Bar exam for LOS students is comparable to the passage rate for law school graduates.

The VBA has more than 30 substantive law sections and 3 divisions, each chaired by leaders in their respective fields. VBA members can join as many sections as they wish, all included in the price of membership. Section members share their collective wisdom by way of our online communities at VBA Connect. A forum for LOS is available on VBA Connect. Anyone interested can reach out there to ask questions or make suggestions. The new Section is already working on a CLE for the VBA Annual Meeting scheduled for Sept. 25 at Lake Morey. 

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WHAT'S NEW

From Grantmaking to Gala: A Year of Growing Impact for the Vermont Bar Foundation

As we enter the summer months at the Vermont Bar Foundation, I am filled with gratitude for the continued growth, collaboration, and shared commitment that define Vermont's justice community. While summer often brings a season of renewal and reflection, it also marks one of the busiest and most energizing periods of the year for the Foundation. Over the past winter and spring, the Vermont Bar Foundation (VBF) has been deeply engaged in our annual grantmaking cycle - work that continues to strengthen access to justice initiatives and community-based legal services across every corner of our state.

This year, we were encouraged to see a significant increase in grant applications from organizations addressing a wide range of civil legal needs and justice-related services. The growing demand for funding reflects both the tremendous work being done statewide and the increasing need for accessible legal support for Vermonters. In response, the Vermont Bar Foundation increased our overall grantmaking by more than \$200,000 this fiscal year - a meaningful investment in organizations working every day to support Vermont communities.

The Vermont Bar Foundation is proud to support the following grantees through our current funding cycle: Vermont Asylum Assistance Project, Association of Africans Living in Vermont, Vermont Afghan Alliance, Community Restorative Justice Center, the Center for Justice Reform Clinic at Vermont Law & Graduate School, HOPE Works, Atria Collective, Steps to End Domestic Violence, Have Justice Will Travel, Vermont Legal Aid and Legal Services Vermont, the Vermont Bar Association, Safeline Inc., Therapeutic Works Inc., the Vermont Language Justice Project, OUR House of Central Vermont, Disability Rights Vermont, Northeast Kingdom Community Action, and the Vermont Network to End Domestic Violence. Together, these organizations provide critical services ranging from housing and immigration support, to restorative justice programming, domestic and sexual violence advocacy, disability rights work, family law assistance, and community stabilization efforts.

The breadth and impact of this work continue to demonstrate a truth many of us see every day: access to justice extends far beyond the courtroom. It is deeply connected to housing stability, language access, eco-

omic security, survivor advocacy, and ensuring that individuals and families are able to navigate systems that can otherwise feel inaccessible or overwhelming. The Vermont Bar Foundation remains honored to partner with organizations doing this essential work throughout our state.

In addition to our grantmaking efforts, we are already deep in planning for the Second Annual Justice Gala, which will take place on November 5, 2026, at Burlington Beer Company. Following the incredible success of last year's inaugural event, we are excited to once again bring together attorneys, advocates, nonprofit leaders, community partners, and supporters from across Vermont for an evening centered around celebration, connection, and a shared commitment to access to justice.

The Justice Gala has quickly become one of the Foundation's most important opportunities to both raise critical support for civil legal services and recognize the individuals and organizations strengthening Vermont's justice ecosystem. Planning for this year's event is already well underway, and we have been thrilled by the early enthusiasm and support we are receiving from law firms, nonprofit organizations, businesses, and financial institutions across the state. Sponsorships are actively underway, and

we are grateful to the many partners who have already committed to supporting this year's Gala. We encourage anyone interested in learning more about sponsorship opportunities or getting involved to reach out to the Vermont Bar Foundation directly.

None of this work would be possible without the dedication of our volunteer Board of Directors, committee members, grantees, partners, and supporters who continue to guide the Foundation's mission with integrity, compassion, and vision. At a time when the need for civil legal services continues to grow, the collective commitment of Vermont's legal and nonprofit communities remains both inspiring and essential.

As we look ahead to the remainder of 2026, the Vermont Bar Foundation remains focused on one central purpose: strengthening access to justice for all Vermonters. We are proud of the momentum we have built together and excited for the work still to come.

Thank you for your continued partnership, advocacy, and support of the Vermont Bar Foundation and the broader justice community across our state.

Hannah King is the Executive Director of the Vermont Bar Foundation: hannah@vt-barfoundation.org.

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BE WELL

Why I am Grateful I was Hit by a Truck in 2008

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Introduction: May 6, 2026

On May 6, 2026, I awoke before my 5AM alarm and wondered what was wrong. I felt different. Nothing catastrophic had happened. In fact, the opposite happened: I felt excited to be alive. I felt energized. I wanted to get up, move through the day, and complete the tasks in front of me with clarity and discernment. Overall, I was immediately and continually excited to keep taking concrete steps toward the passionate life I have been building for years. Steps that had previously felt onerous and heavy.

The feeling was so unfamiliar that it startled me. I could not remember the last time I had awakened with that kind of clarity, energy, gratitude, and simple joy in being alive. Eventually I realized why it felt so shocking: I had not felt this way since approximately 2000, when I started law school and began a long journey with chronic stress, anxiety, and what I now understand as chronic mild depression.

That realization led me to an equally startling sentence: I am grateful I was hit by a truck on August 26, 2008. That is not a sentence I ever expected to write. It is also not a sentence I offer casually. Before I can explain why I feel gratitude for that near-death experience, I need to describe what was happening before the accident, what happened afterward, and why, eighteen years later, I finally feel healthy, happy, grounded, and full of joy again.

I. 2000-2008: The Long Season of Motion

Before I was hit by the truck, I was constantly in motion — physically, mentally, professionally, and emotionally. I did not know how to slow down, and I certainly did not know how to stop. Looking back, I can see that I was using relentless forward movement as a coping strategy.

In 2000, I started Vermont Law School with not just the Juris Doctor degree, but also a Masters in the Studies of Environmental Law, as I really want to be an advocate for the environment. It was also the period when I stepped away from the parts of myself that had felt most natural and alive: teaching outdoor environmental education, working with horses, spending time in nature, and helping others learn through direct experience. I left behind the world that had made me feel most like myself in order to become an “adult” with a real career

— one that seemed more stable, more respectable, and more secure.

Law school became the beginning of a long period of high functioning on the outside and disconnection on the inside. From 2000 to 2008, I was building a legal career, working hard, and doing what successful lawyers are “supposed to do.” My first job out of law school was almost too good to be true: practicing complex commercial litigation in Manhattan at one of the top law firms in the country at that time. From the outside, I looked disciplined, capable, and healthy. I was a lawyer. My family boasted that I would soon be the next millionaire in the family. I had “made” it and was finally “successful.”

Then, I realized I had nothing to take me away from billing 3,000 hours a year. No family. No children. No solid excuse to leave work before 7:00 p.m. when we would get a client-paid dinner. No activity other than work when I arrived home.

I had been an endurance runner this entire time; a bug that I got in law school when I gained a lot of weight and was afraid for my overall wellbeing because I was too sedentary. From law school onwards, I was running half marathons and marathons. Logging hundreds of miles and making some close friends and a sense of community in Albany, New York. So, it wasn’t that much of a stretch to expand my endurance into not just one, but three activities and become a triathlete.

But triathlons were not simply recreation. Ironically, being an elite triathlete became my “break” from a stressful litigation practice. Instead of resting, I trained harder. Instead of asking why I was so depleted, I pushed through. Pain was just “weakness leaving the body” to me. Instead of being present for my life, I raced through it. I raced triathlons. I kept moving.

What I did not fully understand at the time was that I was also struggling internally with anxiety, depression, imposter syndrome, and unresolved childhood trauma and pain that shaped my relationships and sense of self. I was externally focused, often prioritizing other people and obligations over my own well-being. I did not yet have the language for self-abandonment or codependency, but I knew the feeling of living through obligation more than desire.

II. August 26, 2008: The Truck That Slowed Me Down

Then came August 26, 2008.

I was racing in the weekly Crystal Lake Triathlon training race: a half-mile open water swim, an 18-mile out-and-back bike ride, and a 5K run around the lake. I had done this race nearly every week for two years and knew the course intimately. Or at least I thought I did.

I was not a strong swimmer, but I was a strong cyclist, so my usual race strategy was simple: get out of the water near the back, chase everyone down on the bike, and hold on for the run. That day, as I approached the nine-mile turnaround, I was descending a steep hill toward a sharp right-hand corner at about 45 miles per hour. Instead of being fully present on my bike, my mind was wandering — to the post-race pizza party, to whether I had eaten my apple with peanut butter, and then to Alison H., whom I saw climbing back up the hill ahead of me. She was a faster swimmer, but I knew I could catch her. I remember locking eyes with her and thinking, “I will track you down and pass you very soon.”

I looked behind me for traffic and saw only a red car. At the intersection, the red car passed, a black vehicle waved me through, and I rode across two lanes of traffic.

The last thing I heard was brakes.

Then it was lights out.

I had ridden directly into the path of a speeding black pickup truck traveling about 65 miles per hour. Witnesses later said I flew into the air, spun several times, and landed on my head, cracking my helmet, before coming to rest in a ditch on the opposite side of the road. My bike was crumpled. Everyone assumed I was dead.

When I began to wake up, there was a fire truck, ambulance, and police officer beside me. I tried to get up because I wanted to keep riding. The officer gently pressed on my back and said, “Ma’am, you won’t be getting back on your bike right now.”

When he asked if there was anyone I wanted him to call, I said my parents — and asked him to tell them, “I am alright.”

And somehow, I was. I had no broken bones. I walked away with a concussion and road rash. It was nothing short of a miracle.

Near-death experiences have a brilliant and brutal way of forcing a person to look inward and ask what is actually important. Being hit by that truck literally slowed me down. It disrupted the momentum that had been carrying me forward, whether or not that momentum was leading me some-

where I truly wanted to go.

In the immediate aftermath, I did what I had been trained — by profession, sport, and personality — to do: I kept going. I had pain, because of course I had pain; I had been hit by a truck. But I was also back racing triathlon within approximately two weeks of the accident, which now feels astonishing.

The deeper impact came over time. The accident became one of the events that caused me to reevaluate my life. The next year left my large law firm job in Manhattan. I turned toward therapeutic yoga when nothing else would heal the pain. I became a yoga teacher. I returned to Vermont because I felt that is where I needed to heal. I later began teaching mindfulness. The truck did not simply injure me; it interrupted me. It forced a pause in a life that had become almost entirely organized around doing, achieving, performing, and enduring.

I do not believe I would be in Vermont now if I had not been hit by that truck. I do not believe I would have returned so directly to the practices and places that help me feel whole. The accident became one of the turning points that brought me back toward the life I had left behind when I entered law school: nature, horses, teaching, embodied learning, service, and community.

III. What Happened Afterward: Pain, Practice, and the Long Return

For years after the accident, I did not fully understand its long-term consequences. Chronic pain did not immediately define my life. It arrived more clearly about ten years later, around 2018, and eventually became one of my most persistent teachers.

Chronic pain is humbling because it asks questions that ambition alone cannot answer: Can I soften around this? Can I listen instead of overpower? Can I treat my body as a partner rather than an obstacle? Can I stop measuring my worth by productivity?

In 2026, I entered a transformative four-month chronic pain clinic through the University of Vermont that included multiple healing modalities each week, weekly group sessions, and a neurologic focus on how chronic pain can become a maladaptive pattern in the nervous system. I entered the program hoping for less physical pain. But, I started to feel other aspects of myself healing, including my emotional state and mind. What surprised me most was that the self-compassion component became one of the most transformative parts of the entire experience.

The pain did not magically disappear. What changed was my relationship to it. I began to understand, again and again, that perspective matters. The situation itself is important; but how I perceive it, respond to it, and care for myself inside it may mat-

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ter even more. Learning that both physical and emotional pain are maladaptive neural pathways that can be healed and rewired was life-changing for me.

IV. A Wellness Lens: Chronic Mild Depression Can Be Hard to See

Only recently did I recognize that I may have been experiencing chronic mild depression for many years. Chronic mild depression, clinically known as Persistent Depressive Disorder, can be difficult to identify because it may not look like a dramatic crisis. It can appear as a persistent low-grade emotional, cognitive, and physical burden that becomes normalized over time.¹

For me, the most significant clues were not constant sadness. They were subtler: reduced joy, persistent fatigue, difficulty feeling fully engaged in life, low motivation for my own dreams, self-criticism, mental fog, irritability, and a gradual narrowing of what felt possible. I was still functioning. I was still working. I was still exercising. I was still doing many things that looked healthy from the outside. But inside, I now see that I had been going through the motions of being alive rather than fully enjoying it.

That is one reason I believe this topic belongs in a wellness column for lawyers. We can be highly functional and still be suffering. We can be successful and still be disconnected from joy. We can be praised for our discipline while privately using that discipline to outrun pain. And please seek out the support you need from a licensed health professional if you recognize yourself in this description. I work with an extensive team of health providers including acupuncture. I have been helped by Chinese herbs and Eye Movement Desensitization and Reprocessing therapy (“EMDR”). EMDR is a highly effective, structured psychotherapy designed to help people recover from trauma, PTSD, and distressing life events. I’ve also benefited from Accelerated Resolution Therapy (“ART”), Pain Reprocessing Therapy, Psychologically-Informed Physical Therapy, Therapeutic Yoga, Therapeutic Massage, and Shamanic Therapy.

V. 2026: The Year of Clarity, Discernment, and Return

May 2026 felt like a veil lifting. I suddenly felt excited to wake up in the morning. I could focus. I could complete tasks I had been avoiding for years — some from before the pandemic that still had not been completed during the pandemic pause. I felt a deep sense of pride in paying off credit card debt, completing remaining tasks for my 500-hour Yoga Medicine Yoga Teacher Certification, practicing what I preach about sleep, choosing no alcohol, and living more mindfully. I also started to take

active steps towards creating my community wellness farm vision, The Vermont Community Farm, a 501(c)(3) non-profit focused on using nature, mindfulness and therapeutic animals to heal people and the planet.

I began to understand 2026 as a year of clarity and discernment — a year of returning to myself and my passions. This return was not one single choice. It was a constellation of daily choices, many of them simple, repeated, and deeply grounding:

None of these practices is a universal prescription. Together, for me, they created the conditions for healing and nourishment. They helped me stop abandoning myself. They helped me make space for what I had been talking about for years but had not yet been able to do. Most importantly, they helped me move toward my passions with joy rather than force.

VI. Why I Am Grateful

I am not grateful for trauma itself. I am not grateful for injury, pain, fear, or the ways chronic stress and chronic pain can reshape a life. But I am grateful for the rupture — the interruption — that forced me to stop living as though speed, success, and endurance were the same thing as health.

I am grateful because getting hit by that truck helped me leave a life that did not fit. It helped me turn toward yoga, mindfulness, embodiment, and self-compassion. It eventually helped bring me back to Vermont. It helped me remember that health is wealth, and that a life can look impressive from the outside while being unsustainable on the inside.

Most of all, I am grateful because the long arc of that experience has brought me back to the parts of myself I loved in my twenties: teaching, nature, horses, experiential learning, community, and service. I now recognize those were never childish interests to be outgrown. They were clues. They were always pointing me home.

That is why the Vermont Community Farm vision feels less like a new idea and more like a return. It integrates the healing pillars that have restored me: mindful presence, nature, therapeutic animals, community, self-compassion, and stewardship. The work I am moving toward now — therapeutic riding, mindfulness, yoga, outdoor connection, and community wellness — is not a detour from my legal career or my life experience. It is the integration of everything that has brought me here.

Conclusion: I Do Not Recommend Getting Hit by a Truck

I do not recommend getting hit by a truck as a path to health, happiness, or joy. There are gentler ways to wake up.

But that was my near-death experience.

That was the event that began the long, uneven, imperfect process of bringing me back to Vermont after law school, back to my body after years of overriding it, and back to the magical place I now inhabit — the place that feels like my twenties, when I was teaching outdoor environmental education to fifth graders and working with horses.

It took eighteen years to understand the gift inside the rupture. It took chronic pain, yoga, mindfulness, therapy, self-compassion, gratitude, boundaries, and a lot of honest reckoning. It also took the humility to admit that I had spent many years looking alive while not fully feeling alive.

On May 6, 2026, something changed. Or perhaps something finally returned.

I woke up grateful. I woke up joyful. I woke up ready to live the life I had been slowly, painfully, and beautifully making my way back to all along.

May we all find our way back to ourselves before life has to stop us in our tracks.

Let’s Explore This Topic Together:

I will be chairing a wellness panel at the VBA Annual Meeting at Lake Morey on Sept. 25 where we will discuss such health disasters, coping with them as they unfold, and the insights that can follow them. Our expected panelists include our Vermont Bar Counsel, Mike Kennedy, who has written and spoken about his path through pancreatic cancer over these last few years. We also expect to have Walter Judge, the well-known litigator from Downs Rachlin in Burlington who has been through a heart transplant in this last year. (Walter wrote about that experience in the *Be Well* column in the spring issue of the VBJ, which you can find online at the VBA website under the “For Attorneys” Tab). We can potentially include one or two more panelists that day. If you feel called to share your story, please contact me at samara.anderson@vermont.gov. But whether you are on stage as a panelist, or in the audience as a fellow survivor or as someone who is working through a big challenge, or just interested in the topic, we hope you will plan to join us at the Annual Meeting at Lake Morey.

Samara Anderson is the co-chair of the VBA Attorney Wellness Section.

¹ Mayo Clinic Staff, Persistent Depressive Disorder (Dysthymia): Symptoms and Causes, Mayo Clinic, available at <https://www.mayoclinic.org/diseases-conditions/persistent-depressive-disorder/symptoms-causes/syc-20350929> (last visited May 29, 2026). 🌱

AI, Legal Writing, and the Power of Constraints

There is plenty of debate but little consensus about the appropriate role of Generative AI (“AI”) in legal writing.¹ Courts, law firms, nonprofits, law schools, and the government continue to grapple with whether to limit AI use in legal work and if so, what those limits should be. The results so far are inconsistent. A nationwide map tracking orders that federal judges have issued addressing AI use in legal briefs looks mostly like a splotchy patchwork with little consistency within circuits or states.² Law firms too have their own unique policies, tailored to their proprietary AI tools. The American Bar Association offers broad guidance for law firms, but not specific policies.³ Law schools differ in their AI policies, and even within a certain school, AI policies often vary dramatically by professor.⁴ At this point in time, AI policies in the legal community are variable and will continue to fluctuate for some time.

As law schools contemplate whether to implement AI policies, they face the difficult task of determining how to prepare

students for a legal career that will undoubtedly involve AI, while also teaching them writing, critical thinking, analysis, and substantive law. Legal writing professors in particular are divided over whether to allow AI in coursework. Some ban it because the whole point of a legal writing class is to learn to write, not to have AI write for you. Some permit it, perhaps because they are tired of policing students through imperfect detection software or because they think students need to be proficient in AI.

On the surface, permitting students – or even junior attorneys – to use AI in legal writing is understandable. Pressure from students (the consumers of a law school education) is significant. In a recent survey of more than 1,800 law students, seventy-two percent said that “learning AI is an essential professional skill,” and about one-third of students said that “their schools do not give them the AI skills needed for their future career.”⁵ And attorneys will undoubtedly use AI in their legal careers, so why not permit these tools right away?

Because, allowing law students and new attorneys to use AI for legal writing means that they will shortcut not only the writing process, but the brainstorming, planning, thinking, and analysis as well. Legal writing is important as much for the process as it is for the product. Clear writing demonstrates clear thinking. And clear thinking comes from reading, synthesizing, and analyzing legal sources, then formulating what you want to write. And once a lawyer begins to write, the thinking continues – lawyers revise, reorder, and edit their work constantly as they refine their message.

That process disappears with AI. When we ask AI to draft a legal document, we skip not only the writing, but also the “creative brainstorming that precedes it to explore different perspectives or develop novel insights.”⁶ AI “constrict[s] our full range of thoughts and our ability to generate original and useful ideas.”⁷ In one study of thousands of essays, researchers found that the “human-written essays offered up to eight times more new ideas



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than those produced by A.I.”⁸

Students and new attorneys using AI for legal writing may also fall victim to “the power of suggestion. Once a chatbot suggests a direction, humans tend to lock in on it” and may harbor bias against contrary ideas.⁹ Even when lawyers are trained to confirm their findings, they are nevertheless influenced by the initial suggestion.¹⁰ We can teach lawyers to check and double check their work (though clearly, many do not given the astounding number of briefs filed in courts with citations to cases that do not exist).¹¹ Those who do may root out some factual or legal inaccuracies. But without experience and training in reading, thinking, and analyzing information, they will not “critically assess [AI’s] work product[] . . . and [] uphold ethical obligations to clients and to the legal system.”¹²

But, what about speed? Won’t law students equipped with AI become faster, more productive attorneys? Not necessarily, and not when AI is used by inexperienced attorneys. First, AI is good at some tasks, but not necessarily the tasks that take the most time. Every system has a limiting factor, or a bottleneck.¹³ We can achieve our goal – say, a persuasive legal brief – only as fast as the slowest step in the process. Speeding up legal research with AI does not produce a strong brief any faster if the rate-limiting step is reading and analyzing all the cases.

Second, research shows that we actually produce better work and make better decisions when we operate with constraints. In his book *Inside the Box: How Constraints Make Us Better*, David Epstein documents many instances across a variety of settings – corporate, individual, societal – in which constraints have led to more innovation, better work, and more success and satisfaction. He chronicles story after story where projects fail because of too much freedom and too many tools. In other words, the “abundance of resources leads to sloppiness.”¹⁴ In contrast, successful projects often begin with a “think slow” motto – they take time early on to work out the boundaries and scope.¹⁵

As examples, Epstein notes that Dr. Seuss wrote *Green Eggs and Ham* on a bet that he could not write a book using only fifty words.¹⁶ Jazz pianist Keith Jarrett reluctantly performed on a flawed piano during his famous Köln concert in 1975.¹⁷ Jarrett, who had expected to perform on a different instrument, altered the range of notes and volume, the rhythms, his force on the bass keys, and his improvisation technique to work within the constraints of the instrument.¹⁸ The result was one of the most acclaimed concerts of all time.

In contrast, the legendary company General Magic, which envisioned the iPhone many years before its time, had “vast re-

sources,” an “unbelievable roster of talent,” and unlimited freedom to envision technology of the future.¹⁹ But the company ultimately collapsed because it did not have “useful limits,” “project boundaries,” and a “clear [idea of] what [it was] building and what [it wasn’t] building.”²⁰ Because General Magic shortchanged the thinking and planning phase, its products suffered.²¹

AI is another area that encourages people to act before they “think slow.”²² Epstein writes:

“I’ve spent time recently with a few different organizations that are rushing to implement AI tools, and the pattern is striking. Teams are bolting AI onto everything they can, often without slowing down to define which problems the tools should actually solve. The result can be what some researchers now call “workslop” – AI-generated output that looks productive but doesn’t actually move anything forward.”²³

When law students or junior lawyers use AI without first developing a real understanding of the problem and the law (done through “thinking slow”), “exploration is too free, [and] it becomes difficult to learn anything at all.”²⁴

This is especially true because, “[c]ontrary to popular belief, the brain is not designed for thinking. It’s designed to save you from having to think.” Because the brain is naturally inclined to avoid effortful thinking, “boundless freedom with AI “lead[s] to unoriginal ideas . . . [and] repeating what is known.”²⁵ In contrast, “[c]onstraints push the brain beyond its default tendencies, forcing it to engage in deeper problem-solving.”²⁶

Moreover, we think more deeply and critically about a topic when we are familiar with the material.²⁷ “If students are asked to analyze a passage of text, but the content is all unfamiliar, they’re going to expend their working memory trying to keep track of the ideas with little left for deeper thinking.”²⁸ Forcing students to engage deeply with substantive material early in their legal careers – rather than outsource the thinking and writing to AI – will lead to lawyers who are better steeped in the law and more effective thinkers.

Law schools are starting to catch on. Many have started to implement AI policies restricting student use of AI. Some policies treat AI use as an honor code violation. Others permit AI only for certain purposes or require students to cite it, while others leave it to individual faculty members to decide whether to restrict AI use. But more and more, schools are placing constraints on how students may use AI. Most recently, UC Berkeley Law School issued one of the strictest policies yet: Berkeley now prohibits AI use on campus “for aid in conceptualizing, outlining, drafting, revising,

translating, or editing any work submitted for credit.”²⁹ The policy rejects the conventional rush to inundate students with new technological tools and opts instead to encourage “cognitive skills”³⁰ and “analytical judgment.”³¹

To be clear, I am not suggesting that AI should not be used for legal work. AI has an inevitable and important role in the legal field. But students and attorneys with little experience in legal analysis, judgment, ethics, and writing must learn those skills before they can deploy AI effectively. Experienced attorneys may benefit from AI because they already have the fundamental skills and knowledge to critically evaluate the results of AI, and to understand the ethical and confidentiality concerns associated with its use. Indeed, students themselves recognize this. Recall that seventy-two percent of law students surveyed said that “learning AI is an essential professional skill,” but even more students recognized that “over-reliance on AI could cause them to struggle in developing critical legal skills.”³² They are right. “When we use AI to flesh out ideas, we lose the most important part of the writing process: thinking.”³³

I am also not suggesting that AI has no place in law schools. Just the opposite. Ideally law schools will teach courses on AI to train students to use AI skillfully and intentionally. “[T]he proper use of AI should increasingly be part of an overall and deliberate educational and practice experience. This can best be achieved by treating AI as a core professional competency on par with others – a learned skill that requires structured supervision and ethically grounded instruction.”³⁴ Students should learn where AI is most useful, but also where it falls short – reasoned judgment, ethics, empathy, accountability, and responsibility.³⁵

Experienced attorneys who are good at their jobs are successful because they have gone through the hard work of learning how to research, analyze, think, write, make mistakes, rip up their work, start over, and try other ideas. If students and junior attorneys skip that process, we will end up with lawyers who lack good judgment. So, while AI will continue to make enormous positive shifts in some areas of legal practice, “thinking remains the sine qua non of good lawyering (and of a quality legal education).”³⁶

Anna F. Connolly is an Associate Professor of Law at Vermont Law & Graduate School.

¹ While lawyers use AI in many areas of legal practice, this article will focus solely on the use of AI in legal writing.

² *Tracking Federal Judge Orders On Artificial Intelligence*, LAW360, <https://www.law360.com/>

pulse/ai-tracker.

³ A *Practical Checklist for Using AI Responsibly in Your Law Firm*, AMERICAN BAR ASSOCIATION (Jan. 5, 2026), https://www.americanbar.org/groups/law_practice/resources/law-technology-today/2026/checklist-for-using-ai-responsibly-in-your-law-firm/. See also *ABA issues first ethics guidance on a lawyer's use of AI tools*, AMERICAN BAR ASSOCIATION (July 29, 2024) (discussing ABA's Formal Opinion 512), <https://www.americanbar.org/news/abanews/aba-news-archives/2024/07/aba-issues-first-ethics-guidance-ai-tools/>.

⁴ A 2026 Thomson Reuters Institute survey notes that 48% of law students surveyed reported that AI policies vary by professor. *2026 Law Student Pulse Survey*, THOMSON REUTERS INSTITUTE at 3 (2026), <https://www.thomsonreuters.com/en-us/posts/wp-content/uploads/sites/20/2026/05/Law-Student-Pulse-Survey-2026.pdf>.

⁵ *Id.* at 2–3.

⁶ Rebecca Winthrop, *What 370,000 College Essays Tell Us About A.I.'s Effects on Creativity*, N.Y. TIMES (May 27, 2026), https://www.nytimes.com/2026/05/27/opinion/writing-creativity-ai.html?emc=edit_ty_20260527&nl=opinion-today&segment_id=220531.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ Cf. DAN ARIELY, *PREDICTABLY IRRATIONAL: THE HIDDEN FORCES THAT SHAPE OUR DECISIONS* 178–79 (2008) (explaining power of suggestion in context of placebos and noting that beliefs and conditioning make us susceptible to suggestion).

¹¹ See, e.g., Damien Charlotin, *AI Hallucina-*

tion Cases, <https://www.damiencharlotin.com/hallucinations/> (tracking legal decisions in cases where AI produced hallucinated content such as fabricated citations).

¹² *Artificial Intelligence Policy*, UNIVERSITY OF CALIFORNIA AT BERKELEY LAW SCHOOL (Effective Summer 2026), <https://www.law.berkeley.edu/academics/registrar/academic-rules/artificial-intelligence-policy/>.

¹³ See generally ELIYAHU M. GOLDRATT, *THEORY OF CONSTRAINTS* (1990).

¹⁴ DAVID EPSTEIN, *INSIDE THE BOX: HOW CONSTRAINTS MAKE US BETTER* 20 (2026) (quoting Ed Catmull, cofounder of Pixar).

¹⁵ *Id.* at 14, 17 (discussing Pixar's successful “Think slow, act fast” approach).

¹⁶ *Id.* at 57.

¹⁷ *Id.* at 53.

¹⁸ *Id.* at 55.

¹⁹ *Id.* at 8–9.

²⁰ *Id.* at 10–11 (first alteration in original) (quoting Tony Fadell, former employee of General Magic).

²¹ *Id.* at 14.

²² *Id.* at 14, 17.

²³ David Epstein, *It's Never Been Easier to Do Too Much*, RANGE WIDELY (May 4, 2026), <https://davidepstein.substack.com/p/its-never-been-easier-to-do-too-much>.

²⁴ EPSTEIN, *supra* note 14, at 31.

²⁵ *Id.* at 49 (quoting Daniel T. Willingham, *Why Don't Students Like School? Because the Mind Is Not Designed for Thinking*, AMERICAN EDUCATOR 4–13 (Spring 2009)).

²⁶ EPSTEIN, *supra* note 14, at 49.

²⁷ *Id.* at 126.

²⁸ *Id.*

²⁹ Berkeley AI Policy, *supra* note 12.

³⁰ *Id.*

³¹ Amanda Robert, *UC Berkeley Law School restricts use of AI by students*, AMERICAN BAR ASSOCIATION (May 22, 2026) (quoting Berkeley Law Professor Chris Hoffnagle), https://www.abajournal.com/news/article/uc-berkeley-law-school-restricts-use-of-ai-by-students?utm_source=sfmc&utm_medium=email&utm_campaign=weekly_email&promo=mk25ann&RefId=marketing&utm_id=1214554&sfmc_id=57679856.

³² Thomson Reuters Institute survey, *supra* note 4, at 2.

³³ Eve Fairbanks, *The Biggest Tell That Something Was Written by AI*, THE ATLANTIC (May 29, 2026), https://www.theatlantic.com/technology/2026/05/how-to-tell-ai-writing/687345/?utm_campaign=atlantic-daily-newsletter&utm_content=20260529&utm_source=newsletter&utm_medium=email&lctg=623ccc264a35a64232618182&utm_term=The%20Atlantic%20Daily.

³⁴ Thomson Reuters Institute survey, *supra* note 4, at 2.

³⁵ Brian Eastwood, *These human capabilities complement AI's shortcomings*, MIT SLOAN SCHOOL OF MANAGEMENT (June 10, 2025), <https://mitsloan.mit.edu/ideas-made-to-matter/these-human-capabilities-complement-ais-shortcomings>.

³⁶ Berkeley AI Policy, *supra* note 12 (emphasis added). ¶5



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Serving the Public and the Profession

by Mary Bouchard, Esq.

Many of Vermont's Brilliant Legal Minds Work In-House

Did you know that there are at least 130 attorneys working as in-house counsel in Vermont? It's true; many of Vermont's top legal minds are playing critical roles within businesses locally, nationally, and internationally. Though less visible to the public than their law firm counterparts, these lawyers have chosen rewarding positions with a single client. They enjoy close partnerships with engineers, doctors, innovators, and other professionals while fostering healthy businesses with missions that match their personal values. (And they don't bill hours!) Let's meet just a few of our small state's in-house counsel stars:



Elizabeth Wohl, Brattleboro Retreat

Elizabeth Wohl is Chief Legal Officer at the Brattleboro Retreat. Founded in 1834, the Brattleboro Retreat is Vermont's largest psychiatric hospital, providing 100 inpatient beds, robust partial hospitalization programs, and a wide array of outpatient mental health services. Elizabeth has been with the Brattleboro Retreat since 2017, including a two-year period during which she served as outside general counsel.

Elizabeth began her legal career clerking for U.S. District Court Judge William F. Downes in the District of Wyoming and then for Justice Skoglund on the Vermont Supreme Court. After clerking, she joined Downs Rachlin Martin where she found her home as a healthcare lawyer, working for the Brattleboro Retreat and other health care clients. In 2016, when new leadership reevaluated the hospital's legal services and posted a general counsel role, Elizabeth was eager to apply.

Elizabeth appreciates living and working in Brattleboro, and as a single-lawyer legal department, she enjoys responding to a broad range of legal questions across a wide range of subjects, which often in-

cludes calling on some of her favorite private Vermont lawyers for support.

When asked why she likes working in-house, Elizabeth says "The very best part of serving as in-house counsel is that my client is the mission. The people that the Brattleboro Retreat has the honor to serve are frequently wise, creative, thoughtful, determined, hard-working people going through challenging life experiences. It is my honor to support the people delivering care that aims to make their lives better." Elizabeth enjoys being part of a leadership team committed to that mission, and sharing a room with businesspeople and medical professionals that is often rich with discussion and continuous learning.



Brian Dunkiel, BETA Technologies

Next up, Brian Dunkiel is Chief Legal Officer for BETA Technologies, an aerospace and defense company designing, manufacturing, and selling high-performance electric aircraft, advanced electric propulsion systems, components, and charging systems to top operators worldwide. Brian started with BETA three years ago and was the first in-house attorney there. Its legal and security compliance department now includes 12 team members under Brian's leadership.

Brian was in private practice for more than 25 years, including co-founding the Burlington firm, Dunkiel Saunders. When he was ready for something new, BETA Technologies offered an opportunity to channel his entrepreneurial spirit into building a legal function from the ground up. He has enjoyed shaping the company's legal and governance infrastructure at a consequential moment—preparing to become a pub-

lic company—which he describes as "an incredibly challenging and rewarding chapter" of his career.

Like Elizabeth, Brian enjoys in-house work because it pushes him to learn continuously. He engages in new areas of the law and regulatory frameworks he would not have encountered in private practice. He also enjoys being closer to the business itself and contributing to strategy and decision-making. There is no playbook and every day is different, which Brian finds energizing.



Jill Pfenning, Vermont Gas Systems

Jill Pfenning is Executive Vice President and General Counsel of Enterprise Performance at Vermont Gas Systems, a fully regulated natural gas utility serving over 56,000 customers with natural gas service and a growing in-home services side of the business. She has been with the company for six years, beginning as General Counsel and now in her chief operating officer-type role, in which she is responsible for the company's execution of various strategic priorities.

Jill began her legal career as a federal court law clerk and then as a litigation associate in Washington D.C with a large national law firm. She began working in-house in 2012 with an energy startup company in Vermont and worked for other technology and fast-growing startups before joining VGS. Though Jill considered various litigation and corporate law opportunities, she immediately enjoyed the business and operational aspects of her first in-house role and never looked back.

She is a natural risk manager and has be-

come a critical business partner, steeped in the strategy and management of the business overall. Like Brian, Jill appreciates that no two days are the same. Take it from one career GC, "An in-house counsel career path can be a great option for lawyers! You only have one client (the company) and you are working to help the company succeed."



Chris Tirrell, Google

Finally, Chris Tirrell is Head of Commercial & Product Counseling with Google's "X" Division. X is a research and development laboratory within Google where a diverse group of inventors and entrepreneurs build and launch breakthrough technologies to help tackle some of the world's most pressing challenges.

Chris's interest in law began when conducting research focused on the intersection of criminology, psychology, and sociology that was aimed at improving conditions for detained children. He has since maintained his career-long commitment to advocating for the well-being of system-involved children, which often intersects with his professional interest in systems design. Chris recalls, "While in Silicon Valley, I discovered deep curiosity in how technology could be used as a lever for positive change."

Chris joined X as Associate Counsel for the commercial team in 2016, where he focused on supply chain development. His practice then broadened to include complex commercial deals. He now manages the legal matters for a diverse portfolio of projects while ensuring that the team's legal function evolves alongside the rapid pace of technologies it supports.

Chris enjoys helping shape and protect early-stage innovations, collaborating closely with engineers and engaging with governments and local communities to welcome innovation responsibly. Ultimately, he says, "the real joy is seeing the contract I negotiated or regulatory compliance path I charted result in the tangible delight of a customer."

Chris is one of many Vermont lawyers

embracing our state's unique quality of life while working for national and international entities.

Elizabeth, Brian, Jill, and Chris offer the following advice for lawyers and law students considering an in-house counsel career path:

- Clearly articulate your values—what matters to you as a person and as a professional—and find a work environment that aligns with those values. Think about mission and culture as seriously as you think about compensation.
- Don't underestimate the business side. Gain some background and knowledge about business operations, including finances, because legal and financial considerations are woven closely together. Understand how the company makes money, what keeps the CEO up at night, and how legal risk intersects with business strategy.
- Be comfortable being uncomfortable. In-house work rarely comes with clean facts or clear answers, and the ability to give practical, actionable advice in the face of uncertainty is part of the job.
- Don't wait for a mid-career jump if you know you want to be close to building products. Going in-house early allows you to build a specialized toolkit in risk management, cross-functional leadership, and delivering legal advice at the intersection of law and business. Further along in your career? Don't be afraid to make a change; willingness to step outside of your comfort zone—even late in your career—can open doors you never anticipated.
- Prioritize pro bono work. As lawyers, we can have a profound and unique impact for people in need of advocacy. Going in-house is not the end of community work; rather, it can be an opportunity to expand your reach.

The VBA recently established an In-House Counsel section and—with the leadership of our Chair, Raven Rae of World Learning—we are hosting social events and developing continuing education and pro bono opportunities designed to bring Vermont's in-house attorneys together. If you are currently working in-house or are interested in making the transition, please get connected. We'd love to hear from you!

Mary Bouchard is Senior Counsel at Vermont Gas Systems. She read the law while at Sheehey Furlong & Behm, where she worked as a legal assistant, paralegal, and attorney. She has been in-house counsel with Vermont Gas for five years.

Lawyer Civility in Digital Communications: A Cornerstone of Professionalism

For lawyers in practice today, convenient digital communication tools such as email, text messaging, instant messaging apps, social platforms (e.g., Facebook, X or LinkedIn), and virtual platforms (e.g., Teams, GoTo Meeting, or Google Meet) are indispensable. Unfortunately, along with this convenience comes the opportunity for missteps such as inadvertent, ill-conceived, or outright intentional incivility to occur. When this happens, the impact can have unintended consequences because there is a cost that comes with incivility. Over time chronic incivility can lead to fewer referrals, loss of credibility, client attrition, burnout and stress, exclusion from leadership roles, professional isolation, and the list goes on. In short, chronic incivility can and will negatively impact one's legacy.

Here's the thing. Understand that practicing civility is not about curtailing disagreements or tempering zealous representation. It's about engaging others in a respectful, professional manner, even amid conflict. A common misconception is that civility equals softness. There's no truth to this whatsoever. Civility is not a sign of weakness. Civility is a way to remain in control of the exchange, avoid distractions, and focus on the matter at hand. In short, it's an effective way to keep your attention on what's important.

I hope this helps explain why I view civility in digital communication channels as a necessary cornerstone of professionalism. Given the prevalence of these fast, convenient, and often informally used tools, it's far too easy for incivility to show its ugly face, particularly if the communication channel doesn't provide the ability to hear the tone of the conversation, see anyone's body language, or allow for an immediate response. For example, a poorly constructed message written and sent with little forethought may be wrongly perceived as being curt, dismissive, or even hostile, especially when the exchange is occurring in an adversarial setting.

I know that the choice to be civil can be hard at times. We live and work within an adversarial system. Some clients expect and others even demand the use of aggressive tactics because they believe that's how lawyers win. Then there are the time and financial pressures that only make matters worse. And don't get me started on the cultural realities we face daily, things like the praising of public incivility seemingly all over social media or the political po-

larization that is pitting neighbors against neighbors and tearing some families apart. Speaking honestly, I don't care if it's hard. This is another reason why I view civility as a cornerstone of our profession. If it were easy, it wouldn't be such a problem.

I invite you to think about it from this perspective. Ask yourself what can be built on a foundation of civility. As I see it, credibility, a strong reputation, financial success, good health, collaborative relationships, leadership opportunities, and respect from one's peers, just for starters. Clearly, the effort is worth it. The only challenge is in figuring out how to get there and then staying on course.

Let me start by addressing the outright intentional incivility problem. If that's your game, all I can say is stop, just stop. It serves no one. Choose a more productive path. With that out of the way, let me address the inadvertent and/or ill-conceived incivility problem. Here are a few ideas that might help.

- 1) With those clients who expect or demand the use of inappropriate aggressive tactics and behave similarly, don't give in. Explain how this can backfire and how civility can be beneficial. For those that refuse to listen, strongly consider declining the representation because if their matter doesn't turn out like they want, there's a good chance they'll blame it on you. Should that happen, don't be surprised when this unhappy client hires some other bulldog lawyer to go after you.
- 2) Of course, you will encounter uncivil lawyers from time to time. When you do, don't take the bait. All you accomplish by doing so is to confirm that they have some control over your behavior. Take the high road. Make a choice to remain composed and stay in control. Those who witness the exchange will take note. Situations like this are where reputations are strengthened or weakened based upon one's behavior.
- 3) It's so easy for something to be misinterpreted in an email or text message. Before you hit send, ask yourself if you would say this in person. If not, revise. Also, be intentional with what you are writing. Impulsive responses are just asking for trouble. Draft your message, take a breath and try to read it

with fresh eyes. Make sure your tone is clear, avoid sarcasm, and NO YELLING! If this idea proves tough for you to master, consider the use of delayed sends so you have one last chance to stop something that shouldn't go out from going out.

- 4) Here's an easy one. No venting about clients, judges, or opposing counsel on any social platforms. Ethical rules aside, such comments are too easily viewed as unprofessional or prejudicial. Yes, you may feel better in the short term, but this short-lived feeling will often come with a cost.
- 5) Set boundaries. Responding to a text message from an upset client at 3 in the morning or trying to respond to email as quickly as you can just to get it out of the way aren't good choices. Set clear expectations, particularly with clients, as to when they can expect a response to any type of communication and then stick to it. This is about making sure you have the time to focus and gather your thoughts.
- 6) Never lose sight of your common sense. The use of hostile, demeaning, and humiliating language or speaking with an intent to mislead, mischaracterize, or lie is simply unacceptable. Focus instead on clarity, empathy, respect, and thoughtful brevity as you consider what you wish to say.
- 7) If video is in use, dress and act the part because those who are listening can't help but to allow what they see to impact what they hear as they draw their conclusions about what you said. This is just human nature. The less you care about how you present; the less others care about what you have to say.
- 8) And perhaps most importantly, prioritize selfcare because the more tired, stressed, overworked, or lonely one becomes the easier it is for incivility to rear its ugly head.

Mark Bassingthwaighte, Esq. is the resident Risk Manager at ALPS Insurance. To learn more about how ALPS can support your solo or small firm visit: alpsinsurance.com.

Your Clients Have Estate Plans. Their Digital Lives Probably Don't.

Most people have at least a basic estate plan, a will, maybe a trust, beneficiary designations, and powers of attorney. The traditional pieces are usually there.

What is missing is everything else.

Today, much of a person's life exists entirely in digital form, including financial accounts, payment platforms, photos, documents, cloud storage, loyalty points, and even smart home systems. As a recent SANS OUCH newsletter points out, when someone dies without a plan for those assets, families can face financial disruption, security risks, and the permanent loss of important data.

Digital Assets Are Real Assets

The concept of digital inheritance is no longer theoretical. It is simply the extension of estate planning into modern life. Digital assets can include such things as email accounts, online banking, cryptocurrency wallets, and subscription services.

The problem is that these assets are often invisible. There is no paper trail in a file cabinet. There is no physical key to hand over. Access is controlled by passwords, multi-factor authentication, and platform policies that may not recognize traditional legal authority. This creates a practical problem for families. Even if someone has the legal right to access an account, they may lack the technical ability to do so.

The Risk Is Not Just Inconvenience

When digital assets are not properly planned for, the consequences go well beyond inconvenience.

The SANS guidance highlights several real risks. Families may be unable to access funds or meet ongoing financial obligations. Active accounts can be targeted for takeover or fraud. Important documents and personal memories can be lost entirely.

There is also an emotional component. Unresolved online accounts, social media profiles, and digital identities can cause confusion and distress for loved ones. In some cases, accounts remain active indefinitely, raising privacy concerns and potential security risks. For law firms advising clients, this is not an issue to overlook. It is a growing category of risk that intersects finance, privacy, and security.

The Law Has Not Fully Caught Up

Part of the challenge is that legal frameworks are still catching up to digital reality.

Traditional estate planning assumes that assets can be identified, valued, and transferred. Digital assets are different. They may be governed by terms of service agreements, subject to licensing restrictions, or controlled by providers that limit access after death.

Even when statutes address digital assets, implementation can be inconsistent. As a result, practical access often depends less on legal authority and more on preparation. In other words, having the right documents is necessary but not always sufficient.

What Lawyers Should Be Doing Differently

The takeaway is not that estate planning needs to become more complicated. It needs to become more complete. There are several practical steps lawyers can incorporate into their process.

First, inventory matters. Clients should identify which digital assets exist, where they are stored, and how they are accessed. Without that baseline, everything else becomes guesswork.

Second, access planning is critical. This does not mean writing passwords in a will. It means using secure mechanisms, such as password managers, digital vaults, or designated access tools, to ensure trusted individuals can access accounts when needed.

Third, clients should designate a digital executor or, at a minimum, provide clear instructions on who will manage digital assets. Traditional fiduciaries may not always have the technical expertise required.

Fourth, platform-level settings should not be ignored. Many major providers now offer legacy contact or account management features that let users define what happens to their data if they are incapacitated or deceased.

Finally, this needs to be part of the conversation. If lawyers are not asking about digital assets, clients are unlikely to raise the issue on their own.

The Bigger Picture

Digital legacy is not just about account access. It is about how identity, memory, and value persist after death. Increasingly, people leave behind not only financial as-

sets but also entire digital footprints that reflect their relationships, history, and personal lives.

That footprint can have lasting meaning for families. It can also pose a risk if unmanaged. In modern estate planning, what you cannot see may be just as important as what you can.

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The Vulnerability Window is Shrinking

For years, law firms have approached cybersecurity with a simple assumption: when a new vulnerability is discovered, there will be time to respond.

That assumption may be getting harder to defend.

Google recently disclosed that it disrupted a cyberattack in which threat actors allegedly used artificial intelligence (AI) to identify and exploit a previously unknown software vulnerability. The attack was stopped before it caused damage, but the implications extend well beyond a single incident.

The real story is not that AI is helping hackers. The real story is that AI accelerates the entire cybersecurity lifecycle. That means the vulnerability window, the time between discovery and exploitation, may be shrinking.

AI is Changing the Pace of Cybersecurity

Much of the public conversation about AI has focused on productivity gains, automation, and efficiency. Cybercriminals are pursuing the same benefits.

AI can help analyze code, identify weaknesses, automate reconnaissance, and accelerate research that once required significant manual effort. Technology is not replacing skilled attackers, but it can make them faster and more effective.

For organizations, this creates a simple challenge. If vulnerabilities can be discovered faster, they can potentially be exploited sooner as well.

Historically, organizations often had days, weeks, or even months to identify and remediate vulnerabilities before they were widely exploited. Although that timeline was never guaranteed, it provided some breathing room. As AI-assisted vulnerability discoveries become more common, that breathing room will continue to shrink.

Why Law Firms Should Care

Law firms remain attractive targets for cybercriminals because they hold some of the most valuable information in the business world, including privileged communications, litigation strategy, intellectual property, merger and acquisition documents, financial information, and sensitive client records.

At the same time, firms rely on increasingly complex technology ecosystems. Cloud platforms, document management

systems, collaboration tools, client portals, practice management applications, and third-party vendors all expand the firm's digital footprint. The challenge is not simply protecting these systems. It is protecting them quickly enough.

When cybersecurity teams discover a critical vulnerability, every hour matters. Delays in patching, uncertainty about asset inventories, or slow vendor response times can create openings for attackers. In an environment where AI may accelerate exploitation, speed itself becomes a security control.

Patch Management is Now a Business Issue

Too often, vulnerability management is treated as a technical responsibility that belongs exclusively to the IT department. That mindset is increasingly outdated.

Questions about cybersecurity now intersect with client expectations, professional responsibilities, cyber insurance requirements, business continuity planning, and risk management.

Firm leadership should understand how quickly critical vulnerabilities are identified and remediated. They should know whether internet-facing systems are continuously monitored and how third-party vendors are evaluated. They should also understand whether incident response plans are regularly tested.

These are no longer purely technical questions. They are governance questions.

Clients increasingly expect their outside counsel to demonstrate mature cybersecurity practices. Regulators are paying closer attention to cybersecurity controls, and cyber insurers continue to scrutinize security programs during underwriting and renewal.

Firms that treat cybersecurity as a leadership issue rather than a technology issue will be better positioned to navigate these pressures.

The Clock is Running Faster

The good news is that defenders are using AI as well. Security teams are leveraging AI to improve threat detection, identify vulnerabilities, prioritize remediation, and accelerate incident response. Technology is not inherently an advantage for attackers. However, it raises the stakes for organizations that remain slow to adapt.

Law firms do not need to panic every time a new AI-related cybersecurity head-

line appears. Nor do they need to overhaul their entire security strategy because of a single incident.

They do, however, need to recognize that the pace of change in cybersecurity is accelerating.

The Google incident offers a glimpse of what may become increasingly common: a world in which vulnerabilities are discovered, analyzed, and weaponized more quickly than ever.

The vulnerability window is shrinking. The question for law firms is whether their security programs are moving fast enough to keep pace.

Michael C. Maschke is the President and Chief Executive Officer of Sensei Enterprises, Inc. Mr. Maschke is an EnCase Certified Examiner (EnCE), a Certified Computer Examiner (CCE #744), an AccessData Certified Examiner (ACE), a Certified Ethical Hacker (CEH), and a Certified Information Systems Security Professional (CISSP). He is a frequent speaker on IT, cybersecurity, and digital forensics, and he has co-authored 14 books published by the American Bar Association. He can be reached at mmaschke@senseient.com.

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IN MEMORIAM

Marc Weissman

Marc Weissman, 81, died on April 13, 2026, after a long and happy life. Following Marc's wishes, there were no ceremonies. The family did have the opportunity to grieve with Marc's widow, Jill, for several days.

Marc was known for his wisdom and pinpoint advice. He listened carefully and only offered suggestions when asked. You could be sure that Marc's honest response was based on real information – he only gave advice if he knew what he was talking about. This was true of choosing the best driving route to anywhere (no GPS needed), the bean, the roast, and the proper storage of the coffee, and which train seat to purchase on the Vermonter. Above all, Marc was devoted to his family. He told them how much he loved them at every opportunity. No matter the occasion – a b'nai mitzvah, a wedding, a birthday, Marc would be there enjoying himself and sharing in the joy and memories. This was abundantly clear at his 80th birthday extravaganza in Cleveland. It took the whole evening for everyone to sing his praises.

Marc was born in Philadelphia in 1945, but found his true home in Barre, Vermont – a woodchuck-by-choice. At age 51, he earned a law degree and set up shop in downtown Barre as a respected lawyer. He thrived on interacting with friends and colleagues he met walking downtown, frequenting his favorite shops, and supporting the Frost Heaves local basketball team. Marc was well-traveled and loved exploring. He treasured his Peace Corps experience in Kenya. He and Jill enjoyed traveling, from PEI to the UP; from Savannah to Lake Elmore. Just ask him about the mishaps with their beloved RV. When you saw Marc, you were sure to hear all about the route, the campgrounds, and the excitement of a broken propane connection fixed by a local. Marc loved experiencing new places and meeting new people, and most of all, he loved coming home. Marc will be missed by his wife Jill Neudorfer; his son Jesse Weissman and his children Max, Helen and Sydney; his daughter Erica Desai and her husband Anand and their children Ella and Asher; his daughter Leah Epstein and her husband Jeff and their children Ezra and Dalia; his brother Ira Weissman and his wife Sally and their children Abby and Benjamin and his husband Will; his brother Bill Bassman and his wife Jane and their children Jill and Rosie; and his brother Jonathan Bassman and his husband Joe.

Michael Popowski III

Michael Popowski III, of Northfield, Vermont, passed away peacefully on May 24, 2026. He was 83 years old. A native of Northfield, Michael graduated from Northfield High School, went on to earn his degree from Georgetown University in 1964, and his law degree from Boston University School of Law in 1967. Commissioned into the Army through ROTC, he served at Fort Benning, Fort Knox, and Panama before beginning a combat tour in Vietnam in 1969 as a captain with the 1st Infantry Division. For his service, he was awarded the Bronze Star with "V" device and oak leaf cluster, the Air Medal, the Army Commendation Medal, the Vietnamese Cross of Gallantry with palm, the Vietnamese Honor Medal (First Class), and the Combat Infantryman's Badge.

Following his military service, Michael began his legal career in the Office of the Postmaster General in Washington, D.C., where he served as a liaison with Congress and the White House and helped secure passage of the Postal Reorganization Act of 1970, which created the United States Postal Service. He later served as Director of Employee and Labor Relations for the USPS in Eastern New England. In 1980, he established a private practice in Northfield and went on to serve as counsel to Norwich University for over 35 years, advising three university presidents. From 1981 to 1985, he also taught Business Law as a faculty member. Norwich held a special place in Michael's heart, not merely as a client, but as an institution that reflected his own deepest values. A man of profound honor and integrity, he found in Norwich a kindred spirit, a place where duty, service, and character were not just ideals but a way of life. Those same qualities defined his decades of community service as Village of Northfield Moderator, Chairman of the School Board, a trustee of the Vermont Veterans' Home, and a member of the Board of Directors of the Northfield Senior Center. He was named Civilian Aide to the Secretary of the Army (CASA), and Norwich University honored his lifetime of service by awarding him an Honorary Doctor of Laws. To know Michael was also to know his quick wit and sharp sense of humor, a gift he shared generously and one that endeared him to everyone he met. He could disarm a room with a single line and leave people laughing long after he had moved on to the next one. He had a lifelong love of hunting, and was never happier than on the golf course or watching the thoroughbreds run at Saratoga. He was also a proud member of the

Conversational Club, a fitting place for a man of such broad knowledge and genuine curiosity.

Michael is survived by his beloved wife of 58 years, Susan; his three children, Carolan (Patrick) Dwyer, Nina (Dave Nelson) Tallon, and Michael Popowski; his brother, Jon Popowski; and five grandchildren, all of whom he loved dearly. He was predeceased by his sister, Nina Brignon.

Jeffrey G. Morse

Jeffrey Gene Morse, a devoted father, accomplished attorney, and respected member of his community, passed away June 10, 2026 after a courageous battle with ALS.

Born on February 27, 1951, in Colchester, Jeffrey was the son of James Paterson Morse and Margie Alberta Scott Morse. At the time of his birth, his parents operated a dairy farm in North Hero, Vermont, on Grand Isle. In the early 1950s, the family moved to Newton, New Jersey, where they continued farming. During this time, Jeffrey underwent eye surgery at the New Jersey Institute for the Blind.

In 1956, the family returned to Vermont, settling in Brattleboro, where his father managed a farm in nearby Marlboro. Jeffrey was raised in Brattleboro and attended Green Street Elementary School, Brattleboro Junior High School, and Brattleboro Union High School, graduating in 1969. He was an outstanding high school football player who often said he was born to play football.

He went on to earn a Bachelor of Science degree from Northeastern University in 1974, followed by his Juris Doctorate from Western New England University School of Law in 1978 and graduated in the top 10% of his class. After passing the Vermont Bar, he was admitted to practice law in February 1979.

Jeffrey began his legal career with Timothy J. O'Connor, Esq., and within two years became his sole partner. At O'Connor and Morse, he handled a broad range of criminal and civil litigation cases, earning a reputation for his integrity, work ethic, and sound judgment.

In December 1984, Jeffrey joined Cersosimo Lumber Company, as general counsel and personal attorney to Anthony "Tony" Cersosimo. He worked closely with Tony Cersosimo to expand the company's real estate development operations. His work included projects in Texas, Colorado, Idaho, all of the New England states and New York State.

In 1995, the real estate division, Southern Vermont Engineering also known as

SVE, and the quarry operations were reorganized into Cersosimo Industries. Jeffrey served as General Manager from 1995 until his retirement in 2015. During his tenure, he led numerous Act 250 permitting efforts and oversaw the development of more than 200 homes across the tri-state area, including over 50 in Brattleboro. Under his leadership, SVE grew rapidly and was recognized in 1997 by Vermont Business Magazine as the fastest-growing company in the state.

Following his semi-retirement in 2015, Jeffrey returned to legal practice, joining Costello, Valente, & Gentry, where he focused primarily on real estate law alongside his longtime friend, Thomas Costello. He continued in this role until his full retirement in 2025.

Jeffrey was predeceased by his parents, James Paterson Morse (1917–2008) and Margie Alberta Scott Morse (1922–2008).

He is survived by his four beloved children: Emily Morse of Boston, Massachusetts; Evan Morse of Shelburne, Vermont; Erin Morse of Keene, New Hampshire; and Elizabeth Morse of Brattleboro.

He is also survived by his siblings: James and Gail Georgina Morse of Bradford, Vermont; Doug and Linda Morse Molde of Johnson, Vermont; John A. Morse of Auburndale, Florida; Susan Morse Pollica and Debra Esteves of Orlando, Florida and Jerald Morse and Mark Rupsic of Orlando, Florida. He also leaves behind many beloved nieces and nephews.

Jeffrey will be remembered for his deep commitment to his family, his profession, and his community. His legacy is one of integrity, dedication, and quiet strength; he will be greatly missed by all who knew him.



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